

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Michael Shane Morrow,	)	C/A No. 0:10-1199-MBS-PJG
	)	
Plaintiff,	)	
	)	
vs.	)	<b>ORDER</b>
	)	
Mary Hammond, <i>Doctor</i> ; Sheriff of Pickens	)	
County; Unknown Director of Pickens County	)	
Detention Center; Unknown Medical Staff;	)	
Warden Catherine Vissage,	)	
	)	
Defendants.	)	
	)	

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The plaintiff has filed this action, *pro se*, seeking relief pursuant to 42 U.S.C. § 1983. Plaintiff, an inmate with the South Carolina Department of Corrections, alleges violations of his constitutional rights by the named defendants. Defendant Hammond filed a motion for summary judgment on December 1, 2010, and a motion to dismiss on December 15, 2010, pursuant to the Federal Rules of Civil Procedure. (ECF Nos. 48 & 54.) As the plaintiff is proceeding *pro se*, the court entered orders pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975) on December 9, 2010 and December 16, 2010, advising the plaintiff of the importance of a motion for summary judgment and to dismiss and of the need for him to file an adequate response.<sup>1</sup> (ECF Nos. 51 & 55.) The plaintiff was specifically advised that if he failed to respond adequately, the defendant's motions may be granted, thereby ending his case.

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<sup>1</sup> The court notes that the mailings containing these orders were returned as undeliverable. (See ECF Nos. 58 & 59.) The court further observes that the plaintiff was specifically advised of his obligation to keep the court apprised of his current address and the consequences of failing to do so. (See ECF No. 5.)

Notwithstanding the specific warning and instructions set forth in the court's Roseboro order, the plaintiff has failed to respond to the motions. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action.

Based on the foregoing, it is

**ORDERED** that the plaintiff shall advise the court as to whether he wishes to continue with this case and to file a response to the defendant's motion for summary judgment and motion to dismiss within fourteen (14) days from the date of this order. Plaintiff is further advised that if he fails to respond, **this action will be recommended for dismissal with prejudice for failure to prosecute.** See Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

**IT IS SO ORDERED.**



Paige J. Gossett  
UNITED STATES MAGISTRATE JUDGE

January 24, 2011  
Columbia, South Carolina